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Dated: July 27, 2006

Signature: 

(Rebecca Butler-Guinan)

Docket No.: 53086-00704USPT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John Liccione et al.

Application No.: 10/657561

Confirmation No.: 3308

Filed: September 9, 2003

Art Unit: 2114

For: **SYSTEM AND METHOD FOR
APPLICATION MONITORING AND
AUTOMATIC DISASTER RECOVERY FOR
HIGH-AVAILABILITY**

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application in accordance with 37 CFR 1.98(a)(2). Applicant submits herewith copies of any cited non-patent documents and foreign patent documents in accordance with 37 CFR 1.98(a)(2).

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In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 10-0447, under Order No. 53086-00704USPT. A duplicate copy of this paper is enclosed.

Dated: July 26, 2006

Respectfully submitted,

By 

Ross T. Robinson

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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/657561 |
| | | | | Filing Date | September 9, 2003 |
| | | | | First Named Inventor | John Liccione |
| | | | | Art Unit | 2114 |
| | | | | Examiner Name | Assessor, Brian J. |
| Sheet | 1 | of | 2 | Attorney Docket Number | 53086-00704USPT |

| U.S. PATENT DOCUMENTS | | | | |
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| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
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| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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| | | | | First Named Inventor | John Liccione |
| | | | | Art Unit | 2114 |
| | | | | Examiner Name | Assessor, Brian J. |
| Sheet | 2 | of | 2 | Attorney Docket Number | 53086-00704USPT |

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